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LETTER DATED 20 JUNE 1998 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 20 June 1998 from the Deputy Prime Minister of Iraq, Mr. Tariq Aziz, containing the observations by the Iraqi party concerning the report of the Executive Chairman of the United Nations Special Commission (UNSCOM) dated 16 June 1998 (S/1998/529) on the results of his recent visit to Baghdad.

I should be grateful if you would have the text of this letter and its annex distributed as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

Annex

Letter dated 20 June 1998 from the Deputy Prime Minister of Iraq addressed to the President of the Security Council

With regard to the report of the Executive Chairman of the United Nations Special Commission (UNSCOM) dated 16 June 1998 concerning his recent visit to Baghdad (S/1998/529), I should like to make the following observations:

1. Iraq has fulfilled all its obligations with regard to disarmament in accordance with section C, paragraphs 8, 9 and 10, of Security Council resolution 687 (1991). In a spirit of cooperation, however, we have worked in a positive manner on the points put forward by UNSCOM which the Special Commission considers priority issues in the disarmament process. Mr. Butler brought to Baghdad a document setting forth a "road map", which contained general titles without indicating the relative importance of the points put forward under them or the degree of implementation. We discussed this list with him point by point, providing tangible proof that we had carried out most of them, and in discussing in a precise manner the points where concerns had been raised, we agreed on a schedule of work for the next two months.

2. The completion of the work indicated in the schedule of work will make it possible to resolve the outstanding issues raised by the Special Commission and will definitely lead to the submission by UNSCOM of its final report to the Security Council in accordance with paragraph 22 of resolution 687 (1991).

3. We hoped that the report would highlight the schedule of work, but we noted that, instead, it reflects the previous attitude of concentrating on controversial points in a manner that fails to give a balanced and objective picture of what occurred. In this regard, we should like to express our observations on what is included in some paragraphs of the report:

(a) Missiles

The report indicates that the Iraqi position concerning the missile propellants is that the issue was not essential for the disarmament process, that it could be addressed under ongoing monitoring by the Commission and that Iraq would not agree to its inclusion in any current schedule of work. However, the report does not mention the reasons for our objective and practical position, which we presented during the discussions, namely that, since the accounting for missile engines, missile launchers and the warheads was completed, the question of missile propellants loses importance and becomes a secondary issue since it is an additional element which was not of interest in itself, in addition to the fact that it did not constitute a very complex substance. Furthermore, the only problem concerning the missile propellants was the provision of documents confirming their unilateral destruction, which can be dealt with in the framework of the ongoing monitoring process;

(b) Chemical weapons

The reference in the report to the refusal by Iraq to undertake additional steps to clarify the extent of its attempts to produce the chemical warfare agent VX within the framework of its previous programme is incorrect. Iraq did not refuse to cooperate on the question of the chemical agent VX and submitted to the Commission the relevant clarifications, explanations and documents; but the Special Commission requested additional documents to prove that the production of the aforementioned chemical agent during 1990, which amounted to one and a half tonnes, had also failed, even though Iraq had submitted documents proving without any doubt that the chemical agent VX had not been produced in 1990 or 1991 in a sufficiently stable manner to be utilized within the framework of the armament programme. Iraq submitted two important documents on the question, two reports by the General Director of the facility engaged in the production of chemical agents, research, development and armament, for 1990 and the beginning of 1991, dated 15 December 1990 and 5 January 1991. We clearly demonstrated to the Special Commission that Iraq did not have any other documents on the question and that it was ready to work on the issue of the chemical agent VX within the framework of technical discussions or to participate in considering the indirect evidence contradicting the Iraqi position, which the Commission claims to have;

(c) Biological weapons

3. The Iraqi party stated that the full declaration described the true situation concerning the previous programme, which had no longer existed since 1991 and that the facts referred to in it with regard to production and armament could not be changed. For that reason, the reference in paragraph 17 of the report to the need to review again the entire declaration does not reflect what had been agreed on. The Executive Chairman of the Special Commission himself had proposed changing the method used by the Commission concerning the biological file by focusing on the material balances of the weapons, chemical agents, materials and equipment, which are essential issues with regard to the disarmament obligations under resolution 687 (1991). We have already accepted this proposal and shall work in this direction at the expanded meeting which is to be held in Baghdad on 11 July 1998 and which will continue until the question of the balances is settled.

4. What the Commission describes as concealment and which does not exist in reality is considered a problem which is unrelated to the disarmament process, but which is based on doubts raised by individual occurrences, the circumstances of which have already been fully clarified. The intensive investigations carried out by the Special Commission during the past three years have already proved that these doubts were totally unfounded. For this reason, we are surprised that the Special Commission persists in circulating these allegations and exaggerating their importance to the point of making them a priority issue within the framework of the questions relating to the disarmament process under resolution 687 (1991).

5. With regard to documents, our clearly established position, which is well known to the Special Commission, is that the submission of documents serves the interests of Iraq. Nevertheless, when there is no document, the Special

Commission should not insist and request something that does not exist. As for what is indicated in paragraph 26 concerning the refusal by Iraq to provide documents which it acknowledged having in its possession, the truth is that the documents in question are unrelated to the proscribed programmes and that they belong to one of the military units. The Special Commission examined them during an inspection, took notes on them and did not put forward information indicating that they were related to disarmament.

6. The report does not mention a very important result which Mr. Butler informed us about during the discussions that took place in the presence of the Russian, Nigerian, Venezuelan and Belgian Commissioners, namely that the samples of water, air, soil and tree leaves as well as the imprints taken at the presidential sites last March do not indicate the presence of proscribed activities or elements in those sites. This very important conclusion must be brought to the attention of the members of the Security Council in the appropriate manner.

Lastly, we hoped that the report would differ from previous reports by the Special Commission and would focus on what had been agreed on in an objective and balanced manner with a view to bringing about the implementation of paragraph 22 of resolution 687 (1991).

(Signed) Tariq AZIZ
Deputy Prime Minister